

**Diversion of 398.0085 ha forest land of Forest Block Banshi
Pahadpur A & B in favour of D M G Rajasthan for mining
purpose.**

(FP/RJ/MIN/125714/2021)

PART IV

(To be filled by Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

17. Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by the Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon)

A. The following facts are being brought to the knowledge of the competent authority for ease of decision making:

1. The User Agency has mentioned that the proposed area does not fall under any Eco Sensitive Zone. However, revision of Eco Sensitive Zone of the revised Bandh Baretha Wild Life Sanctuary is under process. Both the forest blocks in which the diversion of forest land is proposed are proposed to be taken out of the Eco Sensitive Zone vide an appropriate notification. Till that time, the proposed area continues to legally fall under the Eco Sensitive Zone of Bandh Baretha Wild Life Sanctuary notified under Environment (Protection) Act 1986 vide notification dated 26 December 2018.
2. The whole area in and around the forest blocks is prone to legal / illegal mining. The area is full of natural sandstone. Mining leases have been operative in the area. Despite this fact, the User Agency has mentioned that there is no feasible alternative available for mining of sandstone.
3. Normally, a proposal of diversion of forest land for undertaking mining operations in a forest area is accompanied by full details of the total mining leases in the cluster, the lease number, area and location of each mining lease, the strip around the mining leases to be used as safety zone,

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the area earmarked for dumping of overburden, roads and paths for approaching the mining lease and transportation of mined material, the area meant for stocking of mined material, the areas for dumping overburden, area left out of mining operations for reasons of slope, soil and water conservations etc. This facilitates clearer understanding of the proposed mining operations and accordingly suggesting various mitigative measures. However, this proposal is bereft of all such details. In view of this, proper mitigative measures could not be proposed. All such required details must be sought from the User Agency and accordingly adequate mitigative measures must be included in granting any permission for taking up mining activity in the forest area. If the above details effect any material change in the proposal, the proposal may be processed for a revised submission and grant of permission under FCA.

4. Various maps and details provided by the User Agency do not match each other. The map and details included in the Mining Plan is different from the area that is sought to be diverted. The Mining Plan and the proposal may therefore be suitably rectified.

B. The proposal is **recommended for acceptance** on the following conditions, in addition to the standard conditions prescribed in the FCA Guidelines:

1. The User Agency shall provide all necessary details of the mining operation like total mining leases in the cluster, the lease number, area and location of each mining lease, the strip around the mining leases to be used as safety zone, the area earmarked for dumping of overburden, roads and paths for approaching the mining lease and transportation of mined material, the area meant for stocking of mined material, the areas for dumping overburden, area left out of mining operations for reasons of slope, soil and water conservations etc. so as to facilitate proper understanding of the proposal and recommendation of appropriate mitigative measure for the conservation of forest area and wild life.
2. It has been indicated that mining leases were operative in the area prior to 1996. It is not very clear whether these leases have been annulled or

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terminated over the course of these years or whether they are still under existence. The User Agency shall annul or terminate all leases that may have been granted or are still continuing to exist on the forest area.

3. Forest Block Banshi Pahadpur A and B still continue to be part of Eco Sensitive Zone (ESZ) notified for Bandh Baretha Wild Life Sanctuary vide notification dated 26 December 2018. The ESZ may be suitably amended to enable mining operation in the proposed forest blocks.
4. The mining plan indicates the life of mines to be 21 years while the leases are proposed to be granted for 50 years. The diversion is, therefore, proposed for 21 years initially.
5. Compensatory afforestation on Non-Forest Land and additional Degraded Forest Land, construction of wall on NFL and DFL for adequate protection, removal of Juliflora and all mitigative measures as recommended by DCF/CCF shall be taken up at the cost of User Agency.
6. As is indicated by the inspection notes, the area in and around the forest blocks is highly prone to illegal mining. There is enough sandstone available in and outside the forest block. Therefore, in order to prevent illegal mining in the remaining part of both the forest blocks, the part of forest blocks that remains outside the area proposed for diversions shall be protected and bounded by a 6 ft high masonry wall and adequate plantation shall be taken up in the area at the cost of User Agency.
7. In order to protect and conserve the existing water drainage channels in the proposed area and flow of water to the water bodies therein and outside, mining operations shall be prohibited in a 50 meter strip along such drainage channels and around such water bodies. Plantation and soil and water conservations shall be taken up in such areas at the cost of User Agency.
8. As proposed by the DCF/CCF, adjoining Sukhashila forest block shall be developed as ecological buffer to the mining operations for the benefit of Bandh Baretha Wildlife sanctuary. Adequate water conservation measures shall be taken up in the block at the cost of User Agency. A

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suitable Integrated Wild Life Action Plan including Buffer Development Plan shall be prepared and implemented at the cost of User Agency.

9. As recommended by DCF, wall shall be constructed along the path that goes to village Dumariya at the cost of User Agency.
10. In order to address the issue of probable man-animal conflict that may arise in the area due to proximity of Bandh Baretha Wild Life Sanctuary, a rescue Centre shall be developed at the Range office Bandh Baretha at the cost of User Agency.

The proposal is **recommended for acceptance** on the above-mentioned conditions, in addition to the standard condition prescribed in the FCA Guidelines.



Date : 12 May 2021

Place : Udaipur

Venkatesh Sharma
APCCF(Protection) &
Nodal Officer FCA
Rajasthan

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